

REMARKS

Claims 1-22 remain pending in the application including independent claims 1, 9, 17 and 18. New claims 23-25 have been added including independent claim 23.

Claims 1-22 have been amended to overcome the 35 U.S.C. 112, second paragraph, rejections in the manner indicated by the examiner. Applicant asserts that all 35 U.S.C. 112, second paragraph, rejections have been fully addressed and requests that the rejections be withdrawn.

Prior art rejections have not been applied against claims 17-22. Claim 17 has been rewritten in independent form. As the rejections of claims 17-22 under 35 U.S.C. 112 have been fully addressed, applicant asserts that claims 17-22 are now in condition for allowance.

Claims 1-3, 6-7, 9-10, and 13 stand rejected under 35 U.S.C. 102(b) as being anticipated by Oehrle et al. (US 4667966). Claim 1 has been amended to include the feature that the resilient sealing profile has two protruding portions with the sliding strip being disposed between the two protruding portions and being recessed towards the reverse side with respect to the two protruding portions in an unstressed state.

Oehrle does not disclose this feature. Oehrle discloses a seal 1 with a single bead portion 6 including a hollow chamber portion 9. The entire sealing surface of the bead portion 6 is covered with a low friction coating 5. Oehrle does not disclose a sealing profile with two protruding portions and a sliding strip that is disposed between the two protruding portions, thus Oehrle cannot anticipate claim 1.

With regard to claim 9, the examiner argues that Oehrle discloses a strip 5 with the strip 5 also being the sealing surface. Claim 9 has been amended to clarify that the sealing profile has at

least one sealing surface forming a protruding portion, and that the sliding strip is distanced from the protruding portion. Oehrle clearly does not disclose this feature as the coating strip 5 extends over the entire sealing surface of seal 1, and thus cannot be distanced from the protruding portion of the sealing surface as defined in claim 9.

Claims 9 and 13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kohout et al. (US 6547320) in view of Oehrle.

Kohout does not disclose, suggest, or teach the claimed features. Kohout discloses a roof pane 6 having a seal 15 fixed to a vertical flange 13, and a side member 10 having a seal 14 fixed to vertical flange 12. Lever 11 slides between the seals 14, 15.

The examiner admits that Kohout does not disclose a sealing strip as set forth in claim 9. The examiner argues that it would be obvious to provide the seals 14, 15 of Kohout with a sealing strip 5 as taught by Oehrle in order to reduce friction of engagement.

As discussed above, claim 9 has been amended to clarify that the sealing profile has at least one sealing surface forming a protruding portion, and that the sliding strip is distanced from the protruding portion. Oehrle does not disclose, suggest, or teach a sliding strip that is distanced from the sealing surface that forms a protruding portion. The sliding strip 5 in Oehrle covers the entire sealing surface. Thus, claims 9 and 13 are allowable over the recited combination.

Claims 4-5 and 11-12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Oehrle or Kohout et al. (US 6547320) in view of Oehrle and further in view of Hermann et al. (US 4701376). For the reasons set forth above, Oehrle does not disclose, suggest, or teach the features of claims 1 and 9 from which claims 4-5 and 11-12 depend, respectively. Similarly, for the reasons set forth above, Kohout does not disclose, suggest, or teach the features of claims 1

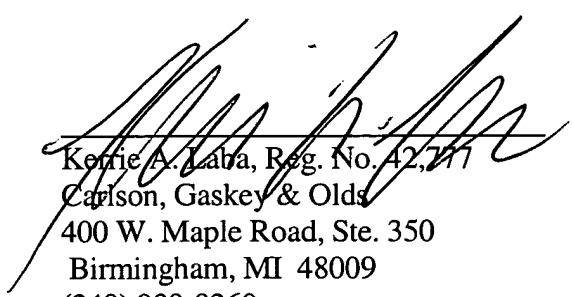
and 9 from which claims 4-5 and 11-12 depend, respectively. Herman does not make up for the deficiencies of Oehrle and Kohout.

Claims 8 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Oehrle or Kohout et al. in view of Barroero (US 2701395) and Moore (US 5311702). For the reasons set forth above, Oehrle and Kohout do not disclose, suggest, or teach the features of claims 1 and 9 from which claims 8 and 14 depend, respectively. Barroero and Moore do not make up for the deficiencies of Oehrle and Kohout.

Claims 15-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kohout in view of Oehrle and further in view of Schmidhuber (US 5039161). For the reasons set forth above, Oehrle and Kohout do not disclose, suggest, or teach the features of claim 9 from which claims 15-16 depend. Schmidhuber does not make up for the deficiencies of Oehrle and Kohout.

Applicant asserts that all claims are now in condition for allowance and respectfully requests an indication of such. A check is enclosed to cover the cost of the additional claim fees. Applicant believes that no additional fees are due, however, if additional fees are required the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds.

Respectfully submitted,



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60,130-2013; 03MRA0083

CERTIFICATE OF MAIL

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12th day of April, 2005.


Beth A. Beard